



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/147,036
Applicant : Jochen MAURER
Filed : December 15, 1998
TC/A.U. : 1645
Examiner : Vanessa L. Ford

Docket No. : 2923-108
Customer No. : 06449
Confirmation No. : 1165
Title : EXPORT SYSTEMS FOR RECOMBINANT PROTEINS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 3, 2005

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated November 3, 2004 rejecting the following claims: 1-3, 9-15, 19, 41, 43-53 and 55-59.

Applicant claims small entity status.

The fee for this Notice of Appeal is \$250.00.

A three-month extension of time is hereby requested from February 3, 2005 to May 3, 2005. Applicant paid a one month extension of time fee with the amendment filed March 3, 2005. Accordingly, the extension fee of \$510.00 is reduced by \$60.00 to \$450.00.

05/04/2005 SZEWDIE1 00000050 09147036

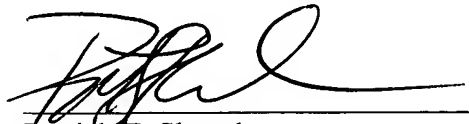
01 FC:2402
02 FC:2253

250.00 DP
450.00 DP

A check for \$700.00 is enclosed.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-2135. An additional copy of this Notice is enclosed herewith

Respectfully submitted,



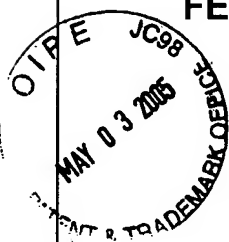
Date: May 3, 2005

Patrick T. Skacel
Registration No. 47,948
Attorney for Applicants
Rothwell, Figg, Ernst & Manbeck, P.C.
1425 K Street, N.W., Suite 800
Washington, DC 20005
Telephone: (202) 783-6040
Fax: (202) 783-6031

2923-108.noa

FEE TRANSMITTAL for FY 2005

(Small Entity)



Complete if Known

Application Number 09/147036

Filing Date December 15, 1998

First Named Inventor Jochen MAURER

Examiner Name Vanessa L. Ford

Group Art Unit 1645

☒ Applicant claims small entity status

Attorney Docket Number 2923-108

Total Amount of Payment (\$700

Confirmation Number 1165

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge the fees indicated below or credit overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☒ Charge any additional fee required under 37 CFR 1.16 and 1.17 to Deposit Account No. 02-2135.

2. ☒ Payment by check enclosed

FEE CALCULATION (continued)

4. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
1051	65	Surcharge - late filing fee or oath	[]
1052	50	Surcharge - late provisional filing fee or cover sheet	[]
1053	130	Non-English specification	[]
1812	2,520	For filing a request for reexamination	[]
1804	920	Requesting publication of SIR prior to Examiner action	[]
1805	1,840	Requesting publication of SIR after Examiner action (reduced by basic filing fee paid)	[]
1251	60	Extension for reply within first month	[]
1252	225	Extension for reply within second month	[]
1253	510	Extension for reply within third month	[450 (510 - 60)]
1254	795	Extension for reply within fourth month	[]
1255	1,080	Extension for reply within fifth month	[]
1401	250	Notice of Appeal	[250]
1402	250	Filing a brief in support of an appeal	[]
1403	500	Request for Oral Hearing	[]
1451	1,510	Petition to institute a public use proceeding	[]
1452	500	Petition to revive -unavoidable	[]
1453	1,500	Petition to revive - unintentional	[]
1807	50	Processing fee under 37 CFR 1.17(q)	[]
1806	180	Submission of Information Disclosure Statement	[]
1809	790	Filing a submission after final rejection (37 CFR 1.129(a))	[]
1810	790	For each additional invention to be examined (37 CFR 1.129(b))	[]
1801	790	Request for Continued Examination (RCE)	[]
1802	900	Request for expedited examination of a design application	[]
1504	300	Publication fee for early, voluntary, or normal publication	[]
1505	300	Publication fee for republication	[]
1455	200	Filing application for patent term adjustment	[]
1456	400	Request for reinstatement of term reduced	[]
1814	65	Statutory Disclaimer	[]
Other fee (specify)			[]

FEE CALCULATION

1. FILING, SEARCH AND EXAMINATION FEES

Code	Fee	Fee Description	Fee Paid
1001	150	Utility Filing Fee	[]
	395	filed before Dec. 8, 2004	[]
1111	250	Utility Search Fee	[]
1311	100	Utility Examination Fee	[]
1002	100	Design Filing Fee	[]
	175	filed before Dec. 8, 2004	[]
1112	50	Design Search Fee	[]
1312	65	Design Examination Fee	[]
1003	100	Plant Filing Fee	[]
	275	filed before Dec. 8, 2004	[]
1113	150	Plant Search Fee	[]
1313	80	Plant Examination Fee	[]
1004	150	Reissue Filing Fee	[]
	395	filed before Dec. 8, 2004	[]
1114	250	Reissue Search Filing Fee	[]
1314	300	Reissue Examination Fee	[]
1005	100	Provisional Filing Fee	[]

SUBTOTAL \$

2. CLAIMS

	Extra Claims	Fee	Fee Paid
Total Claims [] - 20* = [] x		\$25 = []	
Independent Claims [] - 3* = [] x		100 = []	
Multiple Dependent Claims +		180 = []	

*or number previously paid, if greater

SUBTOTAL \$

3. APPLICATION SIZE FEE

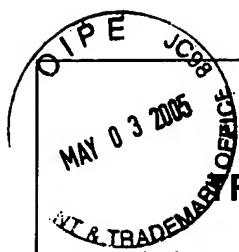
Total Sheets [] - 100 = []/50 = []** x \$125 =

** Number of each additional 50 or fraction thereof

SUBTOTAL \$

SUBTOTAL \$700

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER		Patrick T. Skacel, Reg. No. 47,948	
SIGNATURE	DATE	DEPOSIT ACCOUNT USER ID	
	May 3, 2005		



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/147,036
Filing Date	December 15, 1998
First Named Inventor	Jochen MAURER
Examiner Name	Vanessa L. Ford
Group Art Unit	1645
Attorney Docket Number	2923-108

Total Number of Pages in This Submission 18

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input checked="" type="checkbox"/> Extension of Time Request (See Fee Transmittal) | <input type="checkbox"/> Executed Declaration and Power of Attorney | |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement, PTO-1449 Form and References | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Translated Copy of Priority Document(s) & Transmittal | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Response to Missing Parts of Nonprovisional Application under 37 CFR 1.53 (b) | | |

REMARKS:

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	Patrick T. Skacel Reg. No. 47,948				
SIGNATURE		DATE	May 3, 2005	DEPOSIT ACCOUNT USER ID	02-2135